

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

JAMES EDWARD KLEINBROOK,

Plaintiff,

v.

No. 2:24-cv-0794 DLM

IOWA CITY POLICE DEPT. and  
BRUCE TEAGUE,

Defendants.

**MEMORANDUM OPINION AND ORDER**  
**TRANSFERRING CASE TO THE SOUTHERN DISTRICT OF IOWA**

Plaintiff, who is proceeding *pro se*, states he is a citizen of New Mexico who presently resides in Southfield, Michigan. (*See* Doc. 1 at 1.) Defendants Iowa City Police Department and Mayor of Iowa City Bruce Teague are citizens of the State of Iowa. (*See id.* at 1–2.) Plaintiff asserts civil rights violations based on his arrest by the Iowa City Police Department. (*See id.* at 2–4.)

The statute governing venue in general states:

**Venue in general.**--A civil action may be brought in—

(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located;

(2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or

(3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

28 U.S.C. §1391(b). “The district court of a district in which is filed a case laying venue in the wrong division or district *shall* dismiss, or if it be in the interest of justice, transfer such case to

any district or division in which it could have been brought.” 28 U.S.C. § 1406(a) (emphasis added).

The Court concludes that the District of New Mexico is not a proper venue for this case because Defendants do not reside in the District of New Mexico and there are no allegations that any of the events or omissions giving rise to the claim occurred in the District of New Mexico. The Court transfers this case to the Southern District of Iowa because Defendants reside in the Southern District of Iowa and the events or omissions giving rise to this case occurred in the Southern District of Iowa.

**IT IS ORDERED** that this case is **TRANSFERRED** to the Southern District of Iowa.

  
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DAMIAN L. MARTINEZ  
UNITED STATES MAGISTRATE JUDGE